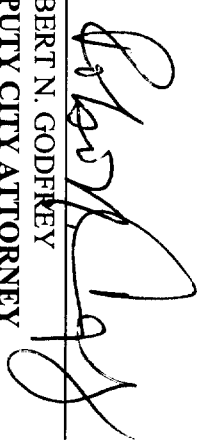


Entered 2-10-98- sb
CL 98L0073- GWENDOLYN BURNS

CLAIM OF: BETTY M. WARREN
660 Courtenay Drive NE
Atlanta, Georgia 30306

For damages alleged to have been sustained
as a result of a property damage incident on
December 15, 1997 at 660 Courtenay Drive,
NE.

THIS ADVERSED REPORT IS
APPROVED

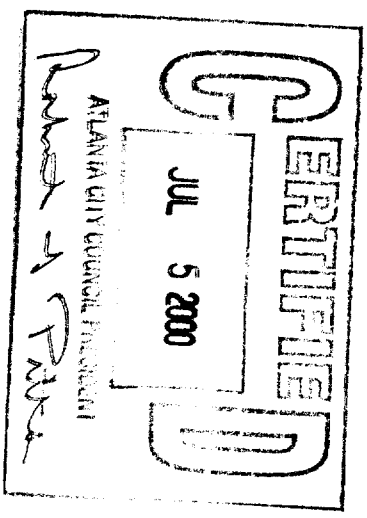
BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSE REPORT
COM. *Public*

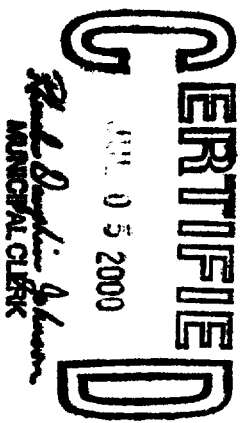
DATE *6/27/00*

CHM. *E. T. Martin*

W. J. Smith
W. J. Smith



ADVERSED BY
CITY COUNCIL JUL 05 2000





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

July 18, 2000

Betty M. Warren
660 Courtenay Dr., NE
Atlanta, GA 30306

00-R-0933

Dear Ms. Warren:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on July 05, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0073

Date: June 14, 2000

Claimant /Victim BETTY M. WARREN
BY: (Atty) (Ins. Co.) _____
Address: 660 Courtenay Drive, NE, Atlanta, Georgia 30306
Subrogation: _____ Claim for Property damage \$ 2,265.45 Bodily Injury \$ _____
Date of Notice: 1/21/98 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/15/97 Place: 660 Courtenay Drive, NE
Department PUBLIC WORKS Division Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her home sustained damages from a sewer back up. An investigation determined that the City responded in a timely manner. Further review of the records indicated that the City did not have prior notice of any problems at this location prior to the December 15, 1997 occurrence. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

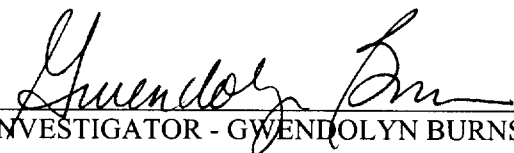
INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

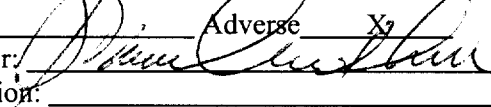
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 06-15-00
Committee Action: _____ Council Action _____

Betty M. Warren
1656 Lenox Rd. NE
Atlanta, GA 30306

(404) 892-9880

OATIS
1/21/98
TBW

ENTERED - 2-10-98 - SB
98L0073 - ANTHONY OATIS

Department of Law
City of Atlanta
68 Mitchell Street, S.W.
Suite 4100
City Hall Tower
Atlanta, Ga. 30335-0332.

05 January, 1998.

For the attention of Twanna Whiley

660 Courtenay Dr. N.E.
Atlanta, Ga. 30306

During the week of 12-15-97 the City sewer line backed up in front of my property at the above location on Courtenay Drive, causing the ground level of my three-unit building to be flooded with sewage.

Since then I have taken several measures in an attempt to eliminate the odor and reduce the health hazard. However, there is an apartment on the ground level of the building, and without tearing up the floor it is difficult to assess the extent of the damage under that floor.

I reported this occurrence to you by telephone and you sent me a claim form. Item 7 of this Claim Form states "ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION". I have left several messages at 404-330-6400 requesting that you send a representative to inspect the property. So far I have had no response either in the form of a return call, or from a representative. Since I am doing all I can to eliminate the problem it is very important that you send someone out AS SOON AS POSSIBLE. With three tenants in the building, I am not in a position to be able to "save" the debris, damage and odor for a later date so that your representative can come out at her/his leisure.

I cannot complete the Claim Form until I have had advice as to what further action is advisable. If you must make an inspection please do so without further delay.

Yours sincerely,

BETTY M. WARREN

R 00-R -0933

RCS# 2057
7/05/00
1:38 PM

Atlanta City Council

Regular Session

_*-**

Consent Agenda pgs. 1-13

Adopt

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

NV McCarty
Y Starnes
Y Bond
B Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
B Emmons
B Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0982
00-O-0996
00-R-0954
00-R-0981
00-R-0999

_*-**

07/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-0882 2. 00-O-0815 3. 00-O-0986 4. 00-O-0987 5. 00-O-0988 6. 00-O-1002 7. 00-O-0574 8. 00-O-0972 9. 00-O-0818 10. 00-R-0990 11. 00-R-0992 12. 00-R-0993 13. 00-R-0885 14. 00-R-0884 15. 00-R-0883 16. 00-R-0880 17. 00-R-0814 18. 00-R-0957 19. 00-R-0961 20. 00-R-0998 21. 00-R-0887 22. 00-R-0888 23. 00-R-0889 24. 00-R-0997 25. 00-R-0892 26. 00-R-0955 27. 00-R-0984 28. 00-R-1000 29. 00-R-0908 30. 00-R-0909 31. 00-R-0910 32. 00-R-0911 33. 00-R-0912 34. 00-R-0913 35. 00-R-0944 36. 00-R-0945 37. 00-R-0946 	<ol style="list-style-type: none"> 38. 00-R-0914 39. 00-R-0915 40. 00-R-0916 41. 00-R-0917 42. 00-R-0918 43. 00-R-0919 44. 00-R-0920 45. 00-R-0921 46. 00-R-0922 47. 00-R-0923 48. 00-R-0924 49. 00-R-0925 50. 00-R-0926 51. 00-R-0927 52. 00-R-0928 53. 00-R-0929 54. 00-R-0930 55. 00-R-0931 56. 00-R-0932 57. 00-R-0933 58. 00-R-0934 59. 00-R-0935 60. 00-R-0936 61. 00-R-0937 62. 00-R-0938 63. 00-R-0939 64. 00-R-0940 65. 00-R-0941 66. 00-R-0942 67. 00-R-0943 68. 00-R-0947 69. 00-R-0948 70. 00-R-0949 71. 00-R-0950 72. 00-R-0951